

OPINION
54-71

January 19, 1954 (OPINION)

LEGISLATION

RE: Resolution - Import

We are in receipt of your letter of November 25, 1953, requesting an opinion of this office as to the meaning and effect of Senate Concurrent Resolution H.

The term "resolution" is normally used to denote the adoption of a motion, the subject matter of which would not properly constitute a statute, such as a mere expression of opinion, a formal expression of the will of the enacting body, other than a law.

Thus the resolution here concerned, expresses the opinion of the legislature as to knowledge of overcrowded conditions in the state capitol on the part of the division, and as to the availability of office space in the city of Bismarck, and in view of its opinion on these matters requests rather than orders certain action to be taken.

It is doubtful that if the opinion of the legislature in regard to availability of office space, turned out to be erroneous that the legislature would wish the request founded on that opinion be acted upon.

ELMO T. CHRISTIANSON

Attorney General